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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,856	12/08/2003	Byugin Kim	2950-0277P	9299

2292 7590 01/11/2006

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EXAMINER

BOCCIO, VINCENT F

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/728,856	Applicant(s) KIM ET AL.	
	Examiner Vincent F. Boccio	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment of 9/6/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-7,9-11 and 13-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9-11 and 13-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/435,608.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

Response to Arguments

1. Applicant's arguments with respect to the amended claims 1-2, 4-7, 9-11, 13-54 and new claims 55-56, have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-2, 4-7, 9-11, 13-56 are rejected under 35 U.S.C. 102(e) as being anticipated by Kikuchi et al. (US 5,870,523).

Regarding claim 1, Kikuchi discloses and meets the limitations associated with a method of recording, apparatus for recording and medium data structure,

the method comprising:

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- recording a received digital data stream of data packet units (Fig. 6, units, met by either cells or VOBUs) by grouping the data packet units into an object (Video Object 83, comprising Cells and VOBUs); and
- creating and recording management information of the object (Fig. 35 A-C, etc.....);
- the management information including entry point of the digital data stream and information indicating whether or not the entry point associated with the entry point exists (Fig. 35 B, "V_FWD Exist 1 and V_FWD Exist 2", also Fig. 35 C, backward or BWD, col. 21, lines 9-);
- read in light of Fig. 5 of applicants disclosure, Flag = 1, SOBU exists, search SOBU, therefore the SOBU exists based on the Flag, and
- Flag = 0, SOBU does not exist, therefore, on the alternative search for SOBU corresponding to the user's search time, therefore no SOBU exists based on the flag, therefore existence or not of the SOBU is met in view of the VOBUs exist or not;
- wherein the units include video data (see Video Objects, col. 11, video stream objects), claim 2;
- wherein the management information is recorded on the medium/DVD (Fig. 35, to Fig. 31 to Fig. 25, which is a navigation pack, recorded to the medium, Fig. 6 NAV pack 86, col. 13, lines 15-16, DVD), claims 4-5.

Claims 6-7, 9, 10-11, 13-14, 15-26, 17-18, 19-25, 55-56 have been analyzed and discussed with respect to the claims above.

Claims 26-54 also have been analyzed and discussed with respect to the claims above,

but, recite an additional limitation such as:

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- having, on the medium, method and apparatus for creating, recording, even reproducing with respect to,
- map information, for accessing the data of the digital data stream, wherein the map information includes access time and object unit information associated with the object units (col. 15, lines 15-33, "table, ... start address ... video ... time search map"), as claimed in claims 26, 36, 45;
- wherein the object unit information includes object unit size of that object unit and presentation playing time information associated with each of the object units, access time includes a plurality of index number each associated with one the object units, access time includes location, duration between two start presentation position, as claimed in claims 30-32, 39-41, 49-51

(since, as claimed Objects (such as Movies/video) and Units are subsets of the video or VOB),

the limitation above are deemed to read on (Fig. 13, "SIZE of the VTS", various address information, Fig. 14, index numbers are also shown, # 1, 2 ..., Fig. 15, "number of VTS_PGCs", or a duration attribute, Fig. 17, Fig. 18, "Playback time", Fig. 19, time map, Fig. 20, cell entry number being another index number, Fig. 21, cell playback information, Fig. 22, cell playback time, Fig. 23, cell position information, Fig. 24, VOB ID number which is another index, Fig. 35 A, another table, having set of index numbers and addresses etc..., associated VOBUs reproducing time information or duration information, and

col. 12, lines 1-16, col. 14, lines 46 to col. 15, line 34, "direct access pointer table, VTS_DAPT 99 is represented by the number of blocks relative to the first byte in the video title set information (VTSI) 94." and time search map, "VTS_MAPT", "expressed by the number of blocks, relative to the first byte of the video title set information (VTSI) 94", therefore are duration attributes between various units and (col. 14, lines 61-65, "size of

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the VTS"), and presentation time (met by time in the map), as recited in claims 33-35, 42-44, 52-54.

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Fax Information

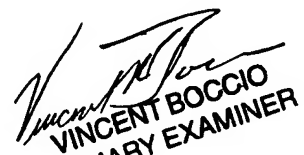
Any response to this action should be faxed to:

(571) 273-8300, for communication as intended for entry, this Central Fax Number as of 7/15/05

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent
1/8/06


VINCENT BOCCIO
PRIMARY EXAMINER